

Notice of Allowability

Application No.

10/758,969

Examiner

Henry Orr

Applicant(s)

EBRAHIMI ET AL.

Art Unit

2176

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview dated 3/19/2009.
2. ☒ The allowed claim(s) is/are 51-55, 57-66, 68, 70-88, 90-98 and 101-114.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20090319.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/DOUG HUTTON/
Supervisory Patent Examiner, Art Unit 2176

DETAILED ACTION

1. Claims 51-55, 57-66, 68, 70-88, 90-98 and 101-114 are pending in the case.
2. Claims 1-50, 56, 67, 69, 89, 99 and 100 are cancelled.
3. Claims 51, 77 and 90 are independent claims.

4. Based upon further review of the instant application and remarks made by Applicant during interview on 3/18/2009, Examiner withdraws objection to specification in action dated 3/13/2009. As a result, there are no outstanding objections or rejections for the instant application.

Allowable Subject Matter

5. Claims 51-55, 57-66, 68, 70-88, 90-98 and 101-114 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Each of the independent claims 51, 77 and 90 are directed towards selecting at least one page component comprising an advertisement and at least one different page component comprising a non-advertising content based on actual page value of the web page, where the respective actual value of each respective page component is based on a relevance of each respective page component to a context of the web page. The

applied references of Kamangar, McElfresh, Gross, Aggarwal, Llach, and Harrington, alone or in combination fail to expressly disclose or suggest these features.

Kamangar relates to "a more effective advertising system which orders ads an [sic] a manner that maximizes both their relevance and their economic values...by ad price information and ad performance information." Kamangar, ¶12.

McElfresh relates to a system for "optimizing placement of ads on a webpage." McElfresh discloses "[a] generalized content block 42 is shown in the right-center of the page 40" and "[i]n addition, the peripheral blocks for placement of ads, or topic tiles, are arranged in order to maximize revenue generation for the webpage," thus the content is not included in the arrangement to maximize revenue generation. McElfresh, ¶33.

Gross relates to a system for "searching, index, and presenting information." Gross, ¶30. Gross discloses scoring "the relevancy of each found document or file." Gross, ¶82. The scores of the documents of Gross are based on the relevancy of the found documents to search terms. Gross, ¶82.

Aggarwal relates to "a method for placing advertisements [sic] web pages." Aggarwal, Col. 2, line 51. Aggarwal discloses that "a primary object of the present invention is to provide a method for dynamically assigning advertisements to appropriate slots on appropriate web pages." Aggarwal, Col. 2, 11.33-35.

Llach relates to "a system and method for generating and selecting targeted advertising using price metrics." Llach, ¶2. Llach discloses that "[t]he targeted advertisement 110 is then selected or generated, embedded within the Web page 100',

transmitted to the user's system, and displayed on the user's system along with the results of the user's request to the search engine, a list of Web sites," indicating that search results are not included in the advertisement selection.

Hamngton relates to "specifying a custom document as a constraint optimization problem." Harnngton, col. 3, lines 32-33. Harnngton teaches, "areas of the document to be filled with content are modeled as problem variables."

Therefore, Kamangar, McElfresh, Gross, Aggarwal, Llach, and Harnngton, alone or in combination fail to expressly disclose or suggest the independent claims 51, 77 and 90.

Furthermore, the prior art made of record fail to resolve the deficiencies of the applied art.

For examination purposes, Examiner interprets the recited **"computer readable medium"** in claim 90 to include the servers as described in the specification (see par. 55; teaches yapache servers running on FreeBSD Intel boxes) which implementation must include the necessary hardware.

Accordingly, claims 51-55, 57-66, 68, 70-88, 90-98 and 101-114 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/758,969
Art Unit: 2176

Page 6

3/19/2009
HO

/DOUG HUTTON/
Supervisory Patent Examiner, Art Unit 2176